

Attorney:

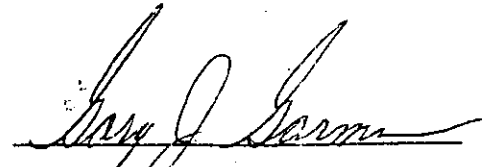
Gordon H. DePaoli

Address:

6100 Neil Rd., #500  
Reno, NV 89511

Phone Number: 775/688-3000

Fax Number: 775/688-3088

  
(Signature)

Gary J. Garms  
(Printed or typed Name)

\_\_\_\_\_  
(Entity, if any, on whose  
behalf you are appearing)

P.O. Box 170  
Smith, NV 89430  
(Address)

\_\_\_\_\_  
(Telephone number)

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

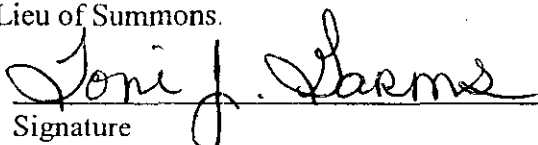
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: October 26, 2005

  
Signature

Toni J. Garms

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED

02/27 PM 3:22

LANCE S. WILSON  
CLERK

BY \_\_\_\_\_  
DEPUTY

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAJUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:  
  
Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

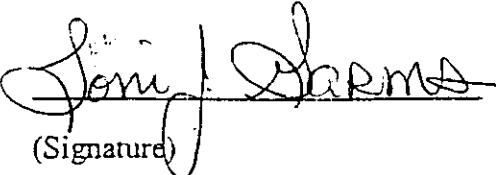
4. I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney: Gordon H. DePaoli

Address: 6100 Neil Rd., #500  
Reno, NV 89511

Phone Number: 775/688-3000

Fax Number: 775/688-3088

  
(Signature)

Toni J. Garms  
(Printed or typed Name)

(Entity, if any, on whose  
behalf you are appearing)

P.O. Box 170  
Smith, NV 89430  
(Address)

(Telephone number)

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TO: Susan L. Schneider, attorney for the United States of America

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Date: October 26, 2005

Garmsland Limited, LLC

Signature

Gary S. Garms, Pres. of GDA Degree, Inc., Manager

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: President of  
(Title)

GDA Degree, Inc., Manager of Garmsland Limited, LLC

(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

LANCE S. WILSON  
CLERK

BY \_\_\_\_\_  
DEPUTY  
IN EQUITY NO. C-125  
SUBFILE NO. C-125-B

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

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to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

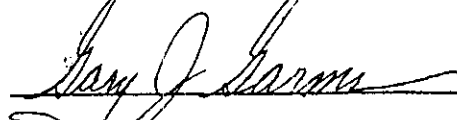
Attorney: Gordon H. DePaoli

Address: 6100 Neil Rd., #500  
Reno, NV 89511

Phone Number 775/688-3000

Fax Number: 775/688-3088

GARMSLAND LIMITED, LLC

  
(Signature)

Gary J. Garms

(Printed or typed Name)

President of GDA Degree, Inc.,  
Manager of Garmsland Limited, I

(Entity, if any, on whose  
behalf you are appearing)

P.O. Box 170

Smith, NV 89430

(Address)

(Telephone number)

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TO: Susan L. Schneider, attorney for the United States of America

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Date: 11-14-05

Betti George  
Signature  
Betti George  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Date: 11-14-06



Signature

CARL GEORGE SR.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Date: Nov. 10, 2005

Jerry Gideon  
Signature

Jerry Gideon  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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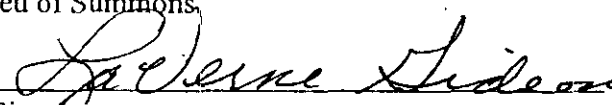
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Date: Nov. 10, 2005

  
Signature

Laverne Gideon  
Printed/Typed Name

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acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
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**THERE IS NO EXHIBIT 40.**

**DOC # 363273**  
09/26/2005 01:20 PM  
**Official Record**  
Requested By  
WILLIAM CARPENTER  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 2 Fee: \$15.00  
Recorded By: KR RPTT:



APN: 12-231-17

Grantee's Address:  
Louis J. Giraud and  
Marie Giraud  
1 Scarsdale Drive  
Yerington, NV 89447

After recording mail to:  
William L. Carpenter, Esq.  
215 W. Bridge Street, #3  
Yerington, NV 89447

**ADMINISTRATOR'S DEED**

THIS INDENTURE, effective this 26 day of Sept., 2005, between LOUIS J. GIRAUD, the duly appointed, qualified and acting Administrator of the Estate of JOSEPH MATHIEU GIRAUD, deceased, the party of the first part, and LOUIS J. GIRAUD, an unmarried man, and MARIE GIRAUD, an unmarried woman, the parties of the second part.

**WITNESSETH:**

WHEREAS, pursuant to the Order Settling First and Final Account of Administrator, Petition for Distribution, Attorney's Fees and Costs and Discharge of Administrator, entered by the Third Judicial District Court of the State of Nevada in and for the County of Lyon, In the Matter of the Estate of Joseph Mathieu Giraud, deceased, Case No. PE6582, on the 26th day of September, 2005, the transfer of the real property hereinafter described to the parties of the second part was approved and ratified.

NOW THEREFORE, the said LOUIS J. GIRAUD, as Administrator of the estate of Joseph Mathieu Giraud, deceased, as aforesaid, the party of the first part pursuant to said Order of the said District Court, does hereby grant and convey unto the said parties of the second part, as tenants in common, all right, title, interest and estate of the said Joseph Mathieu Giraud, deceased, at the time of his death, and also all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired other than, or in addition to, that held by the deceased at the time of his death, in and to the certain lot, piece or parcel of land situate, lying and being in the County of Lyon, State of Nevada, more particularly described as follows:

APN: 12-231-17

Beginning at a point 747 feet North of the Northwest corner of the Southeast 1/4 of Southwest 1/4 of Section 9, Township 12 North, Range 25 East, M.D.B.&M., THENCE COURSE East a distance of 460 feet and 8 inches; thence second course at right angles North, a distance of 200 feet; thence third course at right angles West, a distance of 460 feet and 8 inches; thence fourth course at right angles South, a distance of 200 feet to the place of beginning. Lyon County, Nevada.



363273

09/28/2005  
002 of 2

TOGETHER WITH, all and singular, the tenements, hereditament's and appurtenances, including easements and water rights, if any, thereunto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD all and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the party of the first part, as Administrator as aforesaid, has executed these presents effective the day and year first above written.

  
LOUIS J. GIRAUD, Administrator

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF LYON        )

On the 26 day of September, 2005, personally appeared before me, a notary public, Louis J. Giraud, known to me or proven to me to be the person described in and who executed the above and foregoing instrument, who acknowledged that she executed it freely and voluntarily for the uses and purposes mentioned.

  
Notary Public



Legal Owner..... GIRAUD, LOUIS J/GIRAUD, MARIE Force Assmt Notice....  
Assessed Owner..... GIRAUD, LOUIS J/GIRAUD, MARIE Force Ag Message...  
Mail Address..... 1 SCARSDALE DR Force Label.....  
City, State..... YERINGTON, NV Zip... 89447-0000 Force Card/Aff (C/A)..  
Vesting Doc #, Date. 363273 9/26/2005 Yr,Bk,Pg 00 000 000 Corr Rq'd  
Map Document #s.....  
Description.....(F11=Additional Locations).  
# Dir Street or Other Description Unit #(s)  
Property Location... 7 SUNNY GROVE DR  
Subdivision..... Block... Lot...  
Town..... MASON VALLEY Parcel Map ID..  
Property Name.....  
Remarks.....  
Parcel # Containing Descriptive/Document Data....  
Size  
Total Acres... 2.110 Square Feet.... 0  
Ag Acres..... .000 W/R Acres..... .000  
F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data  
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts



**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/1/05

Gerard Gregoris  
Signature

GERARD GREGORIS  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Date: 11/1/05

LorAnne Gregoris  
Signature

LorAnne Gregoris  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
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Date: 11-16-05

Martha A. Griffin  
Signature

MARTHA A. GRIFFIN  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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**CERTIFIED EXTRACT OF TRUST AGREEMENT**

**THE REX A. HARTWICK and SANDRA J. HARTWICK FAMILY TRUST**

STATE OF NEVADA        }  
                                      } ss.  
COUNTY OF LYON        }

**THE UNDERSIGNED**, being duly sworn, deposes and certifies:

1. That **REX A. HARTWICK**, born October 5, 1960, and **SANDRA J. HARTWICK**, born November 9, 1965, as Grantors and Trustees, executed a Declaration of Trust, and that said Declaration of Trust is not of record in any court. Said Declaration of Trust is entitled **THE REX A. HARTWICK AND SANDRA J. HARTWICK FAMILY TRUST**.

2. That the present beneficiaries under the terms of said Declaration of Trust are the Grantors and Grantor's children as set forth in said Declaration of Trust.

3. That the power and authority of the Trustees with respect to the trust property include, by way of illustration, the following:

A. To sell at public or private sale, wholly or partly for cash or on credit, contract to sell, grant or exercise options to buy, convey, transfer, exchange, or lease (for a term within or extending beyond the term of the trust) any real or personal property of the trust, and to partition, dedicate, grant easements in or over, subdivide, improve, and remodel, repair, or raze improvements on any real property in such manner, for such prices, and on such terms and conditions as any individual might do as outright owner of the property;

B. To manage, control, improve and repair trust property;

C. To borrow money and to encumber trust property by mortgage, deed of trust, pledge, or otherwise;

4. If **REX A. HARTWICK** or **SANDRA J. HARTWICK**, should for any reason become unable to act as trustees then **MIKE HARTWICK** and **SCOTT SODERSTROM**, shall act and serve as successor trustees.

244042

The Grantors reserve the right to appoint other Trustees or successor Trustees and to remove any Trustee or Trustees from office at any time while the Grantors shall live. Unless otherwise stated in writing by the Grantors, the Trustee and successor Trustees of the Declaration of Trust shall be considered to be those mentioned above.

5. That enumeration of certain powers of the Trustee shall be interpreted neither in derogation of any right of the Trustee under the law nor, as restricting the discretion a prudent person would use in the management of property held for the benefit of others; such enumeration shall not limit its general powers in dealing with third persons, the Trustee being vested with and having all rights, duties, powers and privileges which an absolute owner of the same property would have.

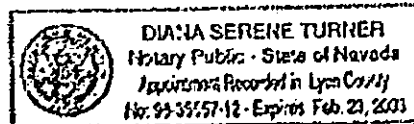
  
\_\_\_\_\_  
REX A. HARTWICK

  
\_\_\_\_\_  
SANDRA J. HARTWICK

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 2000,

by Rex A. Hartwick and Sandra J. Hartwick.

  
\_\_\_\_\_  
Diana Serene Turner, Notary Public  
Commission Expires: 2/23/02



244042

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY  
*William L. Carpenter*

00 FEB -1 PM 3:22

MARY C. MILLIGAN  
COUNTY RECORDER

FEE 8<sup>00</sup> DEP. Dee



APN: 10-581-04  
RPTT #8 \$0.00

**QUITCLAIM DEED**

THIS INDENTURE, made this 1st day of February, 2000, between REX ARTHUR HARTWICK and SANDRA JEAN HARTWICK, Husband and Wife as joint tenants, parties the first part, and REX A. HARTWICK and SANDRA J. HARTWICK, Trustees, under the terms of the REX A. HARTWICK and SANDRA J. HARTWICK FAMILY TRUST, created by Declaration of Trust dated this day written above, the parties of the second part.

**WITNESSETH:**

That the said parties of the first part, in conformity with the terms of the aforesaid Declaration of Trust, do by these presents remise, release and forever quitclaim unto the said parties of the second part, all their right, title and interest in and to the certain lot, piece or parcel of land situate, the County of Lyon, State of Nevada, more particularly bounded and described as follows, to wit:

All that certain real property situate in the County of Lyon, State of Nevada, being more particularly described as follows:

All that certain real property being a portion of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 27, Township 11 North, Range 24 East, M.D.B. & M., Lyon County, Nevada, described as follows:

Parcel 3A as shown on that certain Parcel Map for Thomas J. & Candyce Wipfli, filed in the office of the County Recorder of Lyon County, Nevada on February 14, 1996, as File No. 190220, Official Records.

EXCEPTING THEREFROM all of the following: minerals, whether common or precious; carbons; hydrocarbons; oil; gas; petroleum; chemical elements and substances whether in solid, liquid, or gaseous form; and steam and all sources of geothermal energy; and further reserving the right of ingress and egress for exploration and production of the above (excluding mining by strip or other surface methods); as reserved in that certain Grant, Bargain and Sale Deed recorded November 18, 1994, as Document No. 177062, Lyon County, Nevada Official Records.

244041

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances, including easements and water rights, if any, thereunto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said parties of the second part and their assigns forever.

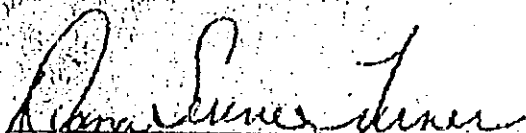
IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand the day and year first above written.

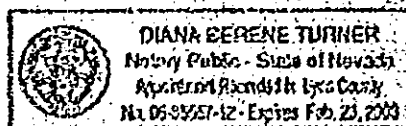
  
REX ARTHUR HARTWICK

  
SANDRA JEAN HARTWICK

STATE OF NEVADA     )  
                                  ) ss.  
COUNTY OF LYON     )

This instrument was acknowledged before me on this 1st day of February, 2000, by Rex Arthur Hartwick and Sandra Jean Hartwick.

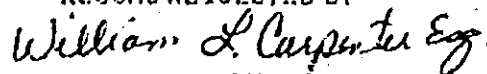
  
Diana Serene Turner, Notary Public  
Commission Expires 2-23-99



Mail Tax Statements to:  
142 Hudson Aurora  
Smith, NV. 89430

244041

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

  
00 FEB -1 PM 3:21

HARRY C. MILLIGAN  
COUNTY RECORDER

FEE 8.00 DEP. DW

After Recording Mail to:  
William L. Carpenter  
215 W. Bridge St.  
Suite 3  
Yerington, NV. 89447

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

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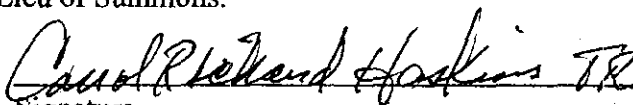
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Date: \_\_\_\_\_

  
Signature

CAROL RICHARD HASKINS TR  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: Trustee of the

Carrol Richard and Alice June Haskins Joint Living Trust

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a copy of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
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in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

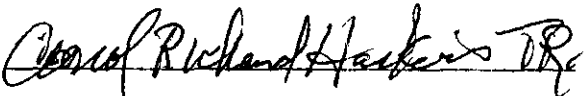


1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8   
9 (Signature)

10  
11 CARROL RICHARD HASKINS Tr.  
12 (Printed or typed Name)

13  
14 Carrol Richard and Alice June Haskins Joint Living Trust  
15 Carrol Richard and Alice June Haskins, trustees  
16 406 Leona  
17 Yerington, NV 89447  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28 (775) 463-4267

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Date: 11-15-05

Carl E Hill  
Signature

CARL E Hill  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Report No: ASR196  
Run Date: 5/12/04

Lyon County  
Parcel Ownership Index

Parcel #	Land Dist Use	Zoning Code(s)	Assessed/Legal Owner	Mail Address
009-011-01	4.0 20	RR5	HILL, CARL E	P O BOX 332
009-011-02	4.0 20	RR5	DAUGHERTY, MICHAEL & SUSAN C	267 ARTESIA RD
009-011-05	4.0 20	RR4	WILDER, JOHN J & LIN C	36 GRANT DR
009-011-07	4.0 20	RR4	BALES, RICHARD B & NONA K	24 SHARON DR
009-011-08	4.0 20	RR4	JUREY, CLYDE W & SANDRA D TRS	10 SHARON LN
009-011-09	4.0 20	RR4	HOLLOWAY, TED J ET AL	2 SHARON DR
009-011-10	4.0 20	RR4	CLARKSON, A RICHARD JR	1 SHARON DR
009-011-11	4.0 20	RR4	ALLEN, ROGER B & JUDY B	9 SHARON DR
✓ 009-011-12	4.0 18	RR4	GURLEY, JOHN AMOS & IRENE ELY	1328 S RIVERVIEW
009-011-13	4.0 20	RR4	CAIRNS, RICHARD J	1467 SILVER AVE
✓ 009-011-14	4.0 12	RR4	GOLDWATER, NANCEE D	1337 STEPHANIE LN
✓ 009-011-15	4.0 12	RR4	CARTER, ROBERT J	1337 WINDSOR DR
009-011-16	4.0 20	RR4	ROGACZENSKI, DAVID & HEATHER SUE	235 ARTESIA RD
009-011-17	4.0 20	RR4	ANTONELLI, ROBERT E & ADRIANE J	239 ARTESIA RD
009-011-18	4.0 20	RR4	SELDONRIDGE, JEFFRY S ET AL	255 ARTESIA RD
009-011-19	4.0 18	RR4	BERONIO, DAVID J & KARI R TRS	959 MONUMENT PEAK DR

Name	Transfer to	Address	City	State	Zip
✓ Brown, Kristine L.		83 Hudson Aurora Road	Smith	NV	89430
Hinton, Patricia G.	Carl E. Hill	P.O. Box 332 Original APN 009-011-01 split to APNs 009-011-22 & 23. Hill owns both.	Wellington	NV	89444
Zahradnik, Catherine M.	Zahradnik, David V. - Co Owner	270 Castleton Way	San Bruno	CA	94066
The Miser Family Trust		120 Sharon Drive	Wellington	NV	89444
Lyons, Rolland R.	Della M. - Co Owner	29 North Star	Wellington	NV	89444
Perry, Gayle A.	Perry, Janet C. - Co Owner	P.O. Box 59	Wellington	NV	89444
Cairns, Richard J.	MacBlane, Gary R.	P.O. Box 16	Wellington	NV	89444
Buford, Vel	Velma & Rick A. - Owners	P.O. Box 444	Wellington	NV	89444
Bukoskey, Linda S.	John J. Bukoskey - Co Owner	P.O. Box 120	Wellington	NV	89444
Spencer, Edna Michelle	Deceased - 01/14/02 age 38 Other et als own property: Lance, Ricard Dean; Lance, Mattie; Lance, Lita; Cornish, Diane L.	650 E. Highway 95A	Yerington	NV	89447
Logan H. and Madge M. Knox Revocable Trust	Both deceased. Trustee is Gary E. Knox.	2060 East Yale Street, Apt B	Ontario	CA	91764
Nathanson, Karen L.	Transfer to Hayes, Edward P.	12050 Country Squire Lane	Saratoga	CA	95070
Ambrosia, Elaine L.	Kuzmicki, Constantine T. - Co Owner	1075 Jamestown Avenue	San Francisco	CA	94124

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-14-2005

David R. Hoover  
Signature

David R. Hoover  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 18 Nov 2005

Tammy L. Hoover  
Signature

TAMMY L. HOOVER  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Nov. 20, 2005

Bruce A. Horstmannshoff  
Signature  
BRUCE A. HORSTMANSHOFF  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:  
Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons, I am mailing a copy of this document to:  
Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:



1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8 Bruce A. Horstmannshoff  
9 (Signature)

10  
11 BRUCE A. HORSTMANSHOFF  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)  
20  
21  
22  
23  
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25  
26  
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28

**THERE IS NO EXHIBIT 52.**

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

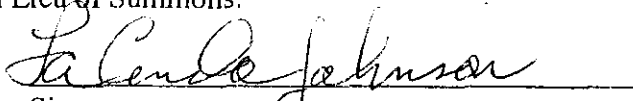
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-12-05



Signature

LA Cinda Johnson

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/18/2005

Hal Johnston  
Signature

HAL JOHNSTON  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

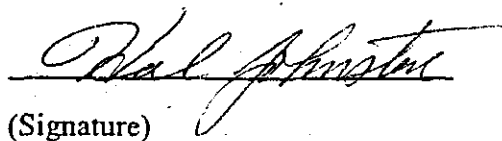
1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:  
Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:  
Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

1 Attorney:

2  
3 Address:

4  
5  
6 Phone Number:

7 Fax Number:

8   
(Signature)

9  
10  
11 HAL JOHNSTON  
12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17 364 Sunset Hills Dr.  
18 Yerington, NV 89447  
(Address)

19 775-463-4779  
20 (Telephone number)

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

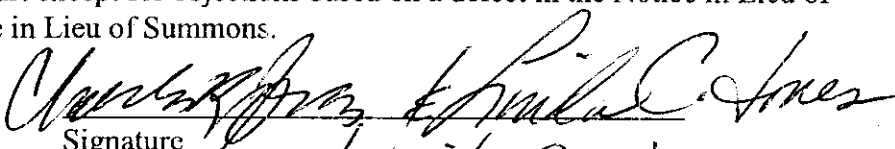
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-25-05

  
Signature  
Charles R. Jones & Linda C. Jones  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Trustee of the

Charles Russell & Linda C. Jones Trust

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.


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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-19-05

  
Signature

Betty Doplin  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: N A of

(Title)

N A  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here: the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.